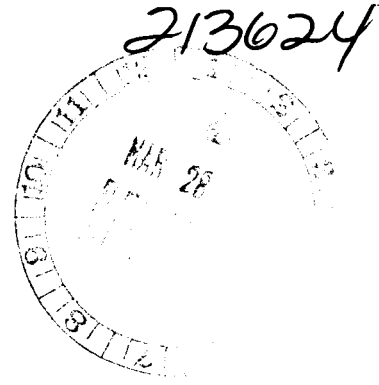


FILED RECEIVED

MAR 28 2005

TRANSPORTATION BOARD

BEFORE THE
SURFACE TRANSPORTATION BOARD
Washington, D.C.



The Indiana Rail Road Company -- Abandonment
Exemption -- Monroe County, IN

AB 295 (Sub-No. 6X)

NOTICE OF EXEMPTION TO ABANDON A LINE OF RAILROAD

This is a notice of exemption filed by The Indiana Rail Road Company ("INRD") pursuant to 49 CFR 1152.50 giving notice that on or after May 17, 2005 it intends to abandon part of its Ellettsville Branch in Monroe County, IN. The part of the Ellettsville Branch to be abandoned lies between mileposts MP Q216.13 near Loesch Road, and the end of the Branch at Ellettsville, MP Q213.69, a distance of 2.44 miles. The line to be abandoned will hereinafter be referred to as the "Line."

CERTIFICATIONS

The certification required by 49 CFR 1152.50(b) is attached hereto as Exhibit A. The certification required by 49 CFR 1152.50(d)(1) is attached hereto as Exhibit B. The certification required by 49 CFR 1105.11 is attached hereto as Exhibit C.

REQUIRED INFORMATION FROM 49 CFR 1152.22

The information required by 49 CFR 1152.50(d)(2) from section 1152.22 is set forth below following the citation and regulatory requirement of section 1152.22 which is *quoted in italics*.

49 CFR 1152.22(a)(1): Exact name of the applicant.

The Indiana Rail Road Company

ENTERED
Office of Proceedings

MAR 28 2005

Part of
Public Record

FILED

MAR 28 2005

SURFACE
TRANSPORTATION BOARD

49 CFR 1152.22(a)(2): Whether applicant is a common carrier by railroad subject to 49 U.S.C. Subtitle IV, chapter 105.

Yes, INRD is a common carrier by railroad within the jurisdiction of the Board.

49 CFR 1152.22(a)(3): Relief sought.

INRD seeks to abandon the Line.

49 CFR 1152.22(a)(4): Detailed map of the subject line.

Three detailed maps of the Line to be abandoned meeting the requirements of this section of the Board's regulations are attached as Exhibit D hereto, and as Exhibit 1 to the Combined Environmental and Historic Report accompanying this notice of exemption.

49 CFR 1152.22(a)(7): Name, title and address of representative of applicant to whom correspondence should be sent.

The applicant's attorney is:

John Broadley
John H. Broadley & Associates, P.C.
1054 31st Street NW, Suite 200
Washington, D.C. 20007
Tel. 202-333-6025
Fax 202-333-5685
Internet: jbroadley@alum.mit.edu

49 CFR 1152.22(a)(8): List of all United States Postal Service ZIP Codes that the line proposed for abandonment traverses.

The Line traverses ZIP Codes 47404 and 47429

49 CFR 1152.22(e)(4): Statement of whether the properties proposed to be abandoned are appropriate for use for other public purposes, including roads or highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the applicant is aware of any restrictions on the title to the property, including any reversionary interest, which would affect the transfer of title or the use of property for other than rail purposes, this shall be disclosed.

The Line is appropriate for use for trail purposes. INRD has been in contact with two potential trail operators, including the Monroe County Parks Department, which have expressed interest in entering into a Trails Act agreement with INRD. INRD is prepared to enter into such an agreement if one can be negotiated with a suitable trail operator.

The Line is built on a right-of-way that consists entirely of rail use easements. In INRD's view, this limited property interest that INRD holds would preclude use of the right-of-way for purpose other than rail use, or trail use pursuant to a Trails Act agreement, without the consent of the holders of the fee interest in the right-of-way.

LABOR PROTECTION

There are no INRD employees currently working on the Line and the abandonment of the Line will have no effect on current INRD employees. Nevertheless, INRD acknowledges that the Board will impose its standard *Oregon Short Line* abandonment labor protection provisions.

Respectfully submitted,

THE INDIANA RAIL ROAD COMPANY

By: John Broadley
One of its attorneys

John Broadley
DC Bar No. 238089
John H. Broadley & Associates, P.C.
1054 31st Street NW, Suite 200
Washington, D.C. 20007
Tel. 202-333-6025
Fax 202-333-5685
E-mail: jbroadley@alum.mit.edu

Dated: March 28, 2005

EXHIBIT A
(Certification pursuant to 49 CFR 1152.50(b))

I hereby certify that no local traffic has moved over the Line that is the subject of this Notice of Exempt Abandonment for at least 2 years and any overhead traffic on the Line [there is none] can be rerouted over other lines and that no formal complaint filed by a user of rail service on the Line (or a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or any U.S. District Court or has been decided in favor of the complainant within the 2-year period.

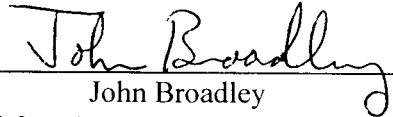


Thomas G. Hoback
President
THE INDIANA RAIL ROAD COMPANY

Dated: March 22, 2005

EXHIBIT B
(Certification Pursuant to 49 CFR 1152.50(d)(1))

Undersigned counsel for The Indiana Rail Road Company hereby certifies that on March 17, 2005, in accordance with 49 CFR 1152.50(d)(1) he notified in writing the Indiana Department of Transportation, Railroad Section; the Department of Defense (Military Traffic Management Command, Transportation Engineering Agency, Railroads for National Defense Program); the National Park Service, Recreation Resources Assistance Division; and the U.S. Department of Agriculture, Chief of the Forest Service of the proposed abandonment and that, based on information in INRD's possession, the Line does not contain federally granted rights of way, and that any documentation in the railroad's possession would be made available promptly to anyone requesting it.

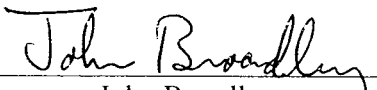


John Broadley
Counsel for The Indiana Rail Road Company

Dated: March 28, 2005

EXHIBIT C
(Certification Pursuant to 49 CFR 1105.11)

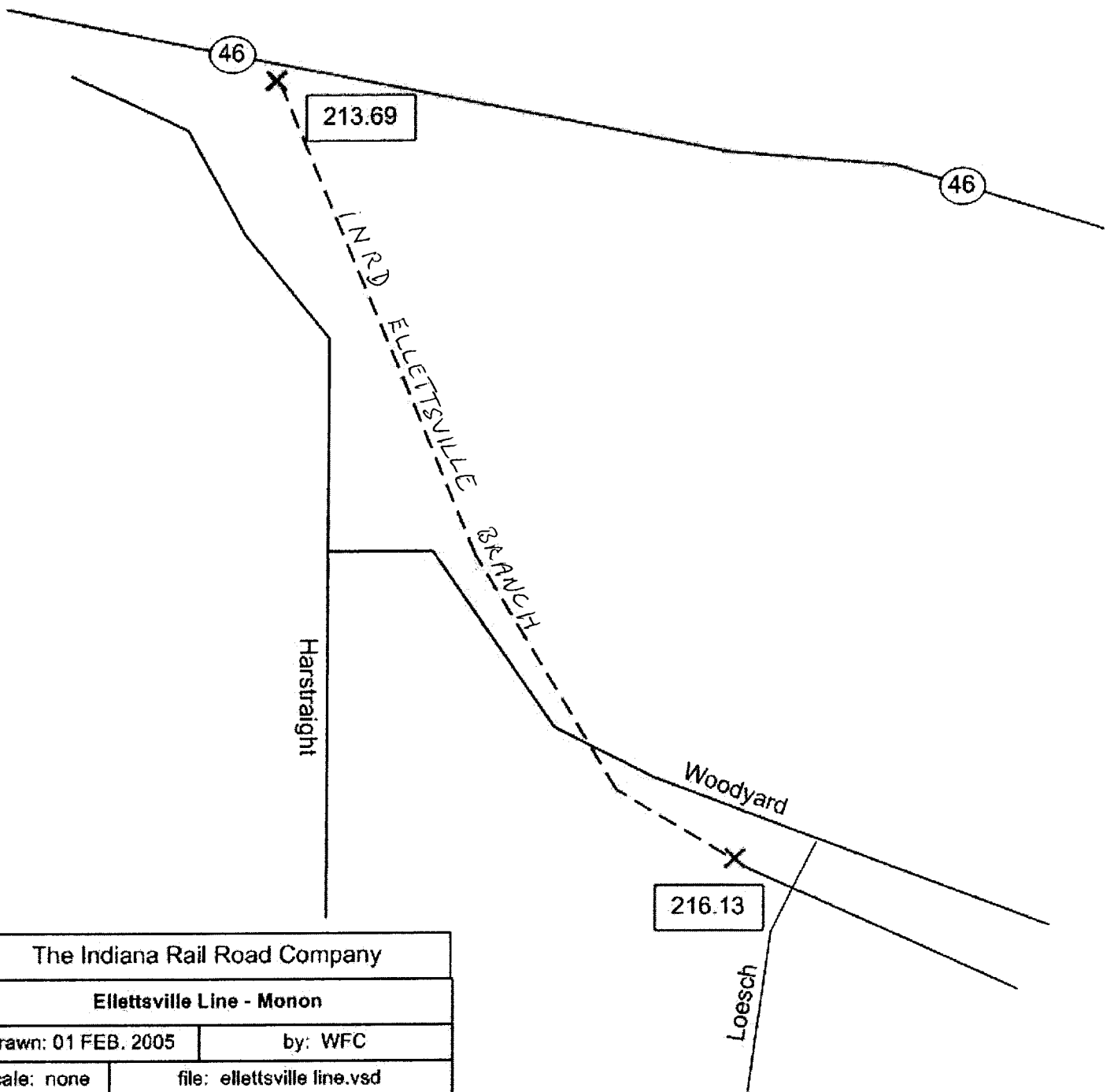
Undersigned counsel for The Indiana Rail Road Company hereby certifies that on February 23, 2005, pursuant to 49 CFR 1105.11, he sent a copy of the Combined Environmental and Historic Report to the agencies identified in 49 CFR 1105.7(b), and to the Indiana Historic Preservation Officer, accompanied by a transmittal letter in the form, and containing the information required by 49 CFR 1105.11.



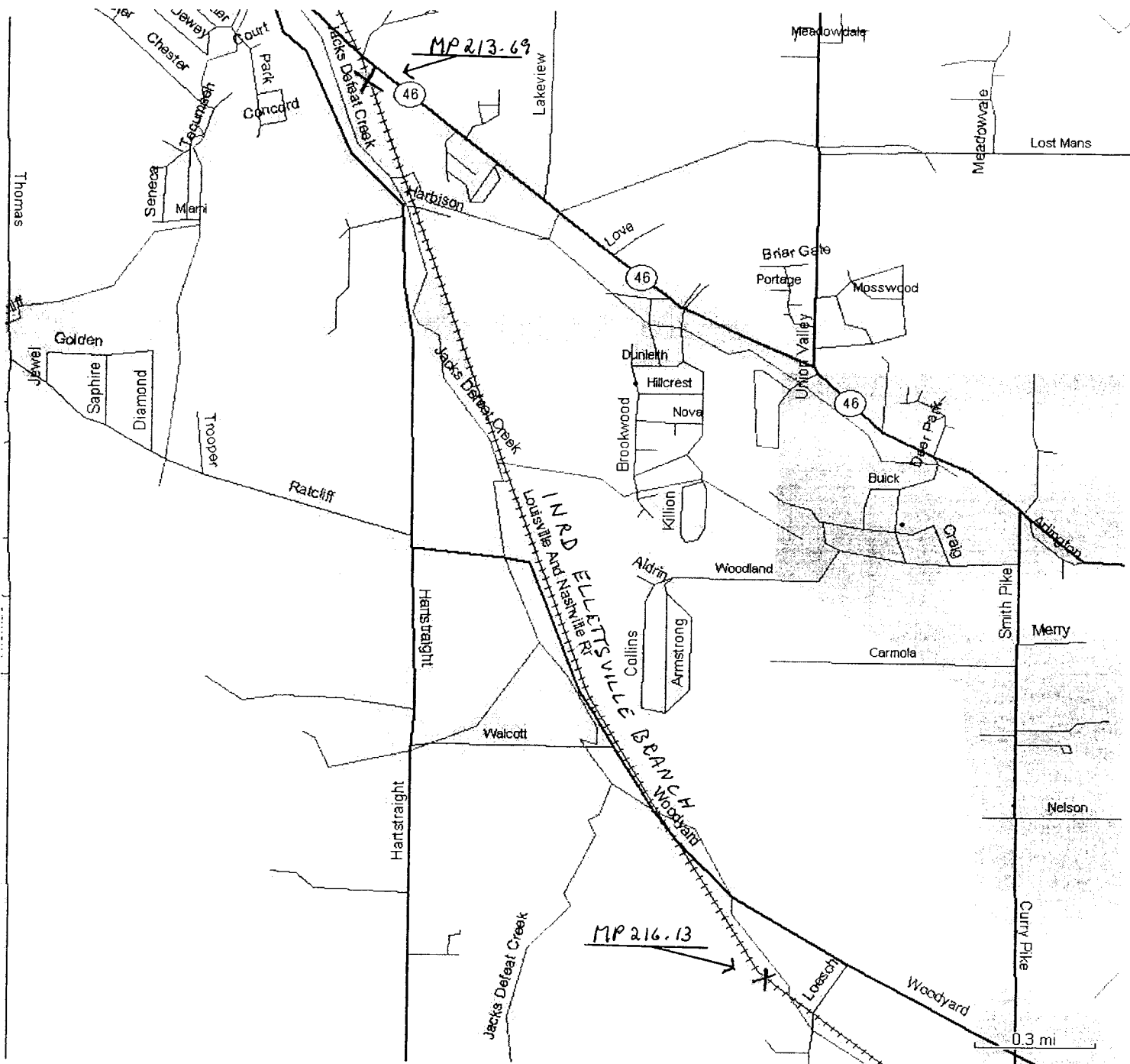
John Broadley
Counsel for The Indiana Rail Road Company

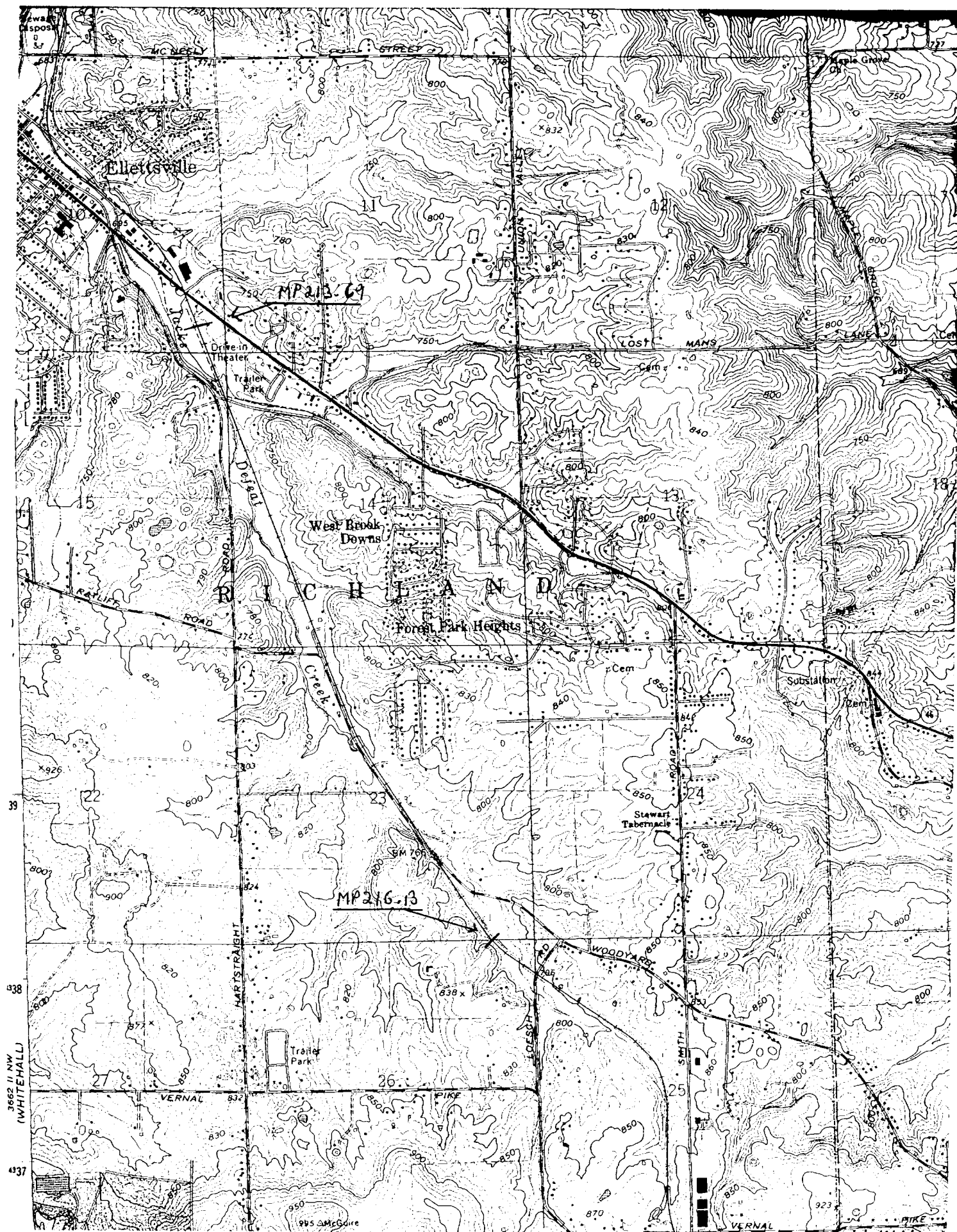
Dated: March 28, 2005

EXHIBIT D
(Maps of the Line to Be Abandoned)



The Indiana Rail Road Company	
Ellettsville Line - Monon	
drawn: 01 FEB. 2005	by: WFC
scale: none	file: ellettsville line.vsd






VERIFICATION

I, Thomas G. Hoback, verify under penalty of perjury that the foregoing Notice of Exemption is true and correct. Further, I certify that I am qualified and authorized to file this Notice of Exemption.

Executed on March 22, 2005.

A handwritten signature in cursive script that reads "Thomas G. Hoback". The signature is written in dark ink and is positioned above a horizontal line.

Thomas G. Hoback